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Letter dated 7 October 1998 from the Chargé d'affaires a.i. of the Permanent Mission of Yugoslavia to the United Nations addressed to the Secretary-General

Upon the instructions of my Government, I am writing to you following the statement of the Deputy Prime Minister and Minister for Foreign Affairs of the Republic of Croatia, His Excellency Dr. Mate Granic, in the general debate in the General Assembly on 28 September 1998. We noted with surprise that Croatia had abused the rostrum of the General Assembly to make a series of false and unfounded accusations against my country.

The Federal Republic of Yugoslavia has lead a constructive policy towards Croatia in accordance with the Agreement on Normalization of Relations between the Federal Republic of Yugoslavia and the Republic of Croatia of 1996 (A/51/318-S/1996/706, annex), in the implementation of which some significant results have been achieved. In doing so, the Yugoslav side has always proceeded from the primary responsibility that the two neighbouring countries have for peace and stability in the region. The achieved results have been manifested in a number of agreements signed between the two countries, the solution of some concrete questions, normalization of traffic and communications and the laying of foundations for economic and other forms of cooperation.

Proceeding from such responsibility for peace and stability in the region, as well as from the interest of the truth, I would like to draw your attention to certain parts of Dr. Granic's statement which present a distorted picture of the situation.

1. Foreign Minister Granic claims that a large number of the "Croatian" Serbs, some 45,000 of them, have returned to Croatia, characterizing the programme adopted by the Croatian Government for the purpose as very successful. In addition to not being true, this claim is disproved both by your report to the Security Council of 23 September 1998 (S/1998/887) and the Security Council press statement of 28 September 1998, in which the Croatian Government is censured for failing to take appropriate measures in this regard.

In his statement, Foreign Minister Granic makes no mention of the ongoing exodus of the Serbs from Eastern Slavonia, Baranja and Western Sirmium. Over 17,000 Serbs left the region after the departure of the United Nations Transitional Administration for Eastern Slavonia, Baranja and Western Sirmium. In your report, it is said that the "movement of

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both Serb displaced persons and the Serb population domiciled in the region to the Federal Republic of Yugoslavia and other countries has continued". Concern is also voiced that "no significant effort has been made by the Government to strengthen public confidence in the police"; that "the worrisome increase in violent ethnic incidents ... underscores the lack of effective Government action to discourage such crimes"; and that "follow-up by both the police and the courts to incidents of intimidation and harassment is still inadequate".

In his statement, Foreign Minister Granic is silent about the difficulties encountered by a small number of Serbs who have returned to Croatia. Many returnees have been maltreated, physically attacked, prevented from moving into their own houses and apartments, denied issuance of necessary documents and refused employment and loans. Your report goes on to say that "there has been almost no progress in the implementation of the Government's national reconciliation plan"; that "reconciliation committees are almost non-existent in areas of Serb returns"; that "some discriminatory legislation remains in force"; that "implementation of the convalidation law remains incomplete"; that the Government's commitments to the Joint Council of Municipalities are unfulfilled"; that "the Serb and minority communities ... continue to experience intimidation and more serious criminal acts as a result of property disputes and ethnic intolerance"; and that only "100 payments have been made so far" towards reconstruction assistance to Serbs.

2. As far as Prevlaka is concerned, the Yugoslav side is fully observant of article 4 of the Agreement on normalization of relations between the two countries, which provides that a solution to the disputed question should be found through negotiations. This position has been confirmed also in your report and in the resolution of the Security Council on this issue. The two sides have exchanged draft Agreements on the solution of that question and expert negotiations are currently under way. We have every right to expect that the extension of the mandate of the United Nations Mission of Observers in Prevlaka (UNMOP) be fully supported by the Security Council as long as the negotiations last. The announcement of Croatia that, if necessary, it will terminate the UNMOP mandate by unilateral action by 15 January 1999 is contrary to the Agreement on Normalization of Relations between the Federal Republic of Yugoslavia and the Republic of Croatia and to the recommendations from your report.

3. I would like to assure you that the allegation to the effect that the Federal Republic of Yugoslavia wishes to be the only successor of the Socialist Federal Republic of Yugoslavia are absolutely untrue and, as such, suggestive of wrong conclusions. On a number of occasions, the Federal Republic of Yugoslavia has said, loud and clear, that it detaches the question of political continuity from the question of the division of the assets and liabilities of the Socialist Federal Republic of Yugoslavia. It is committed to solving all disputed succession issues through negotiations within the Succession Group, with full respect for the principle of a fair division of the assets and liabilities of the Socialist Federal Republic of Yugoslavia. The Federal Republic of Yugoslavia asks for no special status; what it does ask for is full respect for the principle of the contribution to the creation of common property.

4. Croatia has expressed its dissatisfaction with the work of the war crimes Tribunal. However, its representative has said nothing about the crimes committed by its authorities against innocent Serbian civilians in the operations of the Croatian military "Flash" and "Storm". Numerous serious crimes were perpetrated in those operations, which provoked a hurried exodus of hundreds of thousands of Serbs and, so far, no criminal charges have been brought against the perpetrators.

My Government cooperates with the Tribunal in accordance with its obligations from the Dayton/Paris Agreement. Pursuant to the Agreement between the Federal Republic of

Yugoslavia and the United Nations, the Tribunal has opened a Liaison Office in Belgrade. It maintains full contact with the Yugoslav authorities and witnesses and is enabled unrestricted insight into documents of interest for the Tribunal.

5. Foreign Minister Granic raised the question of Kosovo and Metohija. He did so even though Croatia is hardly a country to pass judgements and counsel others on how to solve ethnic problems. Accusations of state terrorism are not based on facts and are totally unfounded. The policy of the Federal Republic of Yugoslavia is not the policy of terror, but of struggle against terrorism. All the activities of the security forces were directed against terrorists and their accessories, not against the civilian population and, upon their neutralization, the special police units have been withdrawn to the places of their permanent encampment. Moreover, the Federal Republic of Yugoslavia has done everything to relieve the consequences of terrorist activities.

No imminent humanitarian catastrophe threatens Kosovo and Metohija and the overall situation is improving. The number of temporarily displaced persons is continually decreasing, while the Governments of the Republic of Serbia and the Federal Republic of Yugoslavia have taken comprehensive measures to facilitate that trend. All returnees are guaranteed State protection and full amnesty, except those individuals who committed crimes. The Republic of Serbia has set up 15 humanitarian centres which dispose of large material resources rendering assistance and support to all those in need to start a normal life.

The situation in Kosovo and Metohija does not threaten peace and stability in neighbouring countries; rather, such a threat comes from Albania and those helping terrorists and their activities.

The Federal Republic of Yugoslavia has fully complied with the provisions of Security Council resolutions 1160 (1998) and 1199 (1998) and is fully committed to solving all problems in Kosovo and Metohija by political means and through dialogue.

I would be grateful if you would kindly have this letter published as a document of the General Assembly under agenda item 9.

(Signed) Vladislav **Jovanović**
Chargé d'affaires a.i.